

House File 536

H-1072

1 Amend House File 536 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 124.401, subsection 5, paragraph a,
4 Code 2023, is amended to read as follows:

5 a. It is unlawful for any person knowingly or intentionally
6 to possess a controlled substance unless such substance was
7 obtained directly from, or pursuant to, a valid prescription
8 or order of a practitioner while acting in the course of the
9 practitioner's professional practice, or except as otherwise
10 authorized by *this chapter*. Any person who violates this
11 subsection is guilty of a serious misdemeanor for a first
12 offense. A person who commits a violation of *this subsection*
13 and who has previously been convicted of violating *this chapter*
14 or *chapter 124B* or *453B*, or *chapter 124A* as it existed prior to
15 July 1, 2017, is guilty of an aggravated misdemeanor. A person
16 who commits a violation of *this subsection* and has previously
17 been convicted two or more times of violating *this chapter* or
18 *chapter 124B* or *453B*, or *chapter 124A* as it existed prior to
19 July 1, 2017, is guilty of a class "D" felony. For purposes
20 of this paragraph, a conviction for violating section 124.414
21 shall not be considered a previous conviction for violating
22 this chapter.

23 Sec. _____. Section 124.411, subsection 3, Code 2023, is
24 amended by adding the following new paragraph:

25 NEW PARAGRAPH. c. An offense under section 124.414.>

26 2. Page 2, line 1, by striking <limit,> and inserting <limit
27 if on a highway that is not part of a municipal street system,
28 and which speed shall be less than the posted speed limit if on
29 a part of a municipal street system,>

30 3. Page 4, by striking lines 1 through 3 and inserting:

31 <NEW SUBSECTION. 3A. *Drug paraphernalia violations.*

32 a. For a first violation of section 124.414, the scheduled
33 fine is two hundred sixty dollars.

34 b. For a second or subsequent violation of section 124.414,
35 the scheduled fine is five hundred twenty dollars.>

1 4. By renumbering as necessary.

DIEKEN of O'Brien